

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY
TUESDAY, MARCH 16, 2010

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Brackett, Malepeai, and Stegner, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Emily Jacks, Page.

Senator Brackett was recorded present at this order of business.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 15, 2010, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 15, 2010

The JUDICIARY AND RULES Committee reports that [S 1409](#), [S 1410](#), [S 1411](#), and [SP 103](#) have been correctly printed.

DARRINGTON, Chairman

[S 1409](#) and [S 1410](#) were referred to the Finance Committee.

[S 1411](#) was referred to the Agricultural Affairs Committee.

[SP 103](#) was referred to the Tenth Order of Business, Motions and Resolutions.

March 15, 2010

The JUDICIARY AND RULES Committee reports that [S 1247](#), [S 1252](#), as amended, [S 1299](#), [S 1315](#), [S 1329](#), [S 1367](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#) have been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled [S 1247](#), [S 1252](#), as amended, [S 1299](#), [S 1315](#), [S 1329](#), [S 1367](#), [S 1392](#), [S 1393](#),

[S 1394](#), [S 1395](#), and [S 1396](#) and ordered them transmitted to the House for the signature of the Speaker.

March 15, 2010

The STATE AFFAIRS Committee reports out [H 521](#), [H 522](#), and [H 588](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 521](#), [H 522](#), and [H 588](#) were filed for second reading.

March 15, 2010

The FINANCE Committee reports out [H 648](#) and [H 649](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 648](#) and [H 649](#) were filed for second reading.

March 15, 2010

The JUDICIARY AND RULES Committee reports out [H 508](#) with the recommendation that it do pass.

DARRINGTON, Chairman

[H 508](#) was filed for second reading.

March 15, 2010

The RESOURCES AND ENVIRONMENT Committee reports out [H 598](#) and [H 556](#), as amended, with the recommendation that they do pass.

SCHROEDER, Chairman

[H 598](#) and [H 556](#), as amended, were filed for second reading.

March 15, 2010

The HEALTH AND WELFARE Committee reports out [H 495](#), as amended, [H 610](#), and [S 1400](#) with the recommendation that they do pass.

LODGE, Chairman

[H 495](#), as amended, [H 610](#), and [S 1400](#) were filed for second reading.

On request by Senator Fulcher, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

Senators Malepeai and Stegner were recorded present at this order of business.

March 15, 2010

Dear Mr. President:

I transmit herewith [HCR 63](#), [H 657](#), [HCR 61](#), and [HCR 59](#), which have passed the House.

ALEXANDER, Chief Clerk

[HCR 63](#), [H 657](#), [HCR 61](#), and [HCR 59](#) were filed for first reading.

March 15, 2010

Dear Mr. President:

I return herewith [S 1339](#), [S 1379](#), [S 1371](#), [S 1286](#), [S 1328](#), and [S 1342](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1339](#), [S 1379](#), [S 1371](#), [S 1286](#), [S 1328](#), and [S 1342](#) were referred to the Judiciary and Rules Committee for enrolling.

March 15, 2010

Dear Mr. President:

I transmit herewith Enrolled [H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [H 408](#), [H 411](#), [H 450](#), [H 446](#), [H 484](#), [H 494](#), and [H 544](#) and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that [SP 103](#) was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by Senator Kelly, seconded by Senator Davis, [SP 103](#) was adopted by voice vote, title was approved, and the proclamation ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1412

BY FINANCE COMMITTEE

AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE STATE CONTROLLER TO TRANSFER FUNDS FROM THE RURAL ECONOMIC DEVELOPMENT INTEGRATED FREIGHT AND TRANSPORTATION FUND TO THE INVASIVE SPECIES FUND; AND DECLARING AN EMERGENCY.

S 1413

BY FINANCE COMMITTEE

AN ACT

REDUCING THE APPROPRIATION FOR THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2010; APPROPRIATING MONEYS FOR THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2011; AND DECLARING AN EMERGENCY.

S 1414

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO GRANDPARENT VISITATION; REPEALING SECTION 32-719, IDAHO CODE, RELATING TO GRANDPARENT VISITATION RIGHTS; AMENDING CHAPTER 7, TITLE 32, IDAHO CODE, BY THE

ADDITION OF A NEW SECTION 32-719, IDAHO CODE, TO PROVIDE FOR PETITIONS FOR VISITATION WITH GRANDCHILDREN BY GRANDPARENTS AND GREAT-GRANDPARENTS, TO PROVIDE A REBUTTABLE PRESUMPTION RELATING TO DECISIONS BY PARENTS REGARDING VISITATION WITH GRANDPARENTS AND GREAT-GRANDPARENTS, TO PROVIDE A STANDARD OF EVIDENCE, TO PROVIDE FOR FINDINGS RELATING TO THE REBUTTABLE PRESUMPTION, TO AUTHORIZE THE COURT TO CONSIDER ADDITIONAL ELEMENTS, TO PROVIDE THAT THE COURT SHALL CONSIDER WHETHER GRANDPARENT VISITATION IS IN THE BEST INTERESTS OF THE CHILD AND TO PROVIDE FOR CONSIDERATION OF ALL RELEVANT FACTORS BY THE COURT.

[S 1412](#), [S 1413](#), and [S 1414](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 63](#), by Revenue and Taxation Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 657](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 61](#), by Ways and Means Committee, was introduced, read at length, and referred to the Commerce and Human Resources Committee.

[HCR 59](#), by State Affairs Committee, was introduced, read at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 641](#) and [H 642](#), by Appropriations Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out [H 545](#), [S 1344](#), [S 1346](#), and [H 493](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 545

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 17, following "attendance" insert: "at the time of the violations".

CORRECTION TO TITLE

On page 1, in line 3, following "TRUSTEES" insert: ", TO PROVIDE THAT A CHILD WHO IS AN HABITUAL TRUANT SHALL COME UNDER THE PURVIEW OF THE

JUVENILE CORRECTIONS ACT IF HE OR SHE WAS WITHIN THE AGE OF COMPULSORY ATTENDANCE AT THE TIME OF THE VIOLATIONS".

SENATE AMENDMENT TO S 1344

AMENDMENT TO SECTION 4

On page 2 of the printed bill, delete lines 26 through 34, and insert:

"(2) Peace officers within the state of Idaho, upon reasonable suspicion that a conveyance is infested with quagga mussels or zebra mussels, may require a driver of a vehicle to stop and submit to an inspection of the exterior of any conveyance(s) in plain view.

(3) If the peace officer has probable cause to believe that the conveyance(s) are contaminated with quagga mussels or zebra mussels, or when a conveyance is found to be contaminated or otherwise carrying quagga mussels or zebra mussels, the peace officer shall detain the vehicle and conveyance(s) and immediately summon a tow truck to transport the conveyance(s) to the nearest available impound yard."

SENATE AMENDMENT TO S 1346

AMENDMENT TO THE BILL

On page 1 of the printed bill, following line 8, insert:

"SECTION 1. That Section 22-4902, Idaho Code, be, and the same is hereby amended to read as follows:

22-4902. DECLARATION OF POLICY AND STATEMENT OF LEGISLATIVE INTENT. (1) The legislature recognizes the importance of protecting state natural resources including, surface water and ground water. It is the intent of the legislature to protect the quality of these natural resources while maintaining an ecologically sound, economically viable, and socially responsible beef cattle industry in the state. The beef cattle industry produces manure and process wastewater which, when properly used, supplies valuable nutrients and organic matter to soils and is protective of the environment, but may, when improperly stored and managed, create adverse impacts on natural resources, including waters of the state. This chapter is intended to ensure that manure and process wastewater associated with beef cattle operations are handled in a manner which protects the natural resources of the state.

(2) Further, the legislature recognizes that the beef cattle industry is potentially subject to various state and federal laws designed to protect state natural resources and that the Idaho department of agriculture is in the best position to administer and implement these various laws. It is therefore the intent of the legislature that the administration of this law by the department of agriculture fully meets the goals and requirements of the federal clean water act and state laws designed to further protect state waters and that administration of this chapter by the department of agriculture shall not be more stringent than or broader in scope than the requirements of the clean water act and applicable state and federal laws. The department shall have authority to administer all laws to protect the quality of water within the confines of a beef cattle animal feeding operation that is not under permit issued by the federal environmental protection agency. In carrying out this chapter the department shall prioritize its resources on operations which have the greatest potential to significantly impact the environment and ensure that any requirements imposed under this chapter upon operators of beef cattle animal feeding operations are cost-effective and economically, environmentally and technologically feasible.

(3) Successful implementation of this chapter is dependent upon the department receiving adequate funding from the legislature and is dependent upon the department executing a

memorandum of agreement with the United States environmental protection agency, the department of environmental quality and the Idaho cattle association which sets forth a working arrangement between the agencies to ensure compliance with this chapter and applicable state and federal laws, including the federal clean water act. Moreover, the legislature recognizes that it is important for the state to obtain a delegated national pollutant discharge elimination system (NPDES) permit program from the EPA under the clean water act."

On page 1, in line 9, delete "SECTION 1." and insert: "SECTION 2."

CORRECTION TO TITLE

On page 1, in line 2, following "OPERATIONS;" insert: "AMENDING SECTION 22-4902, IDAHO CODE, TO PROVIDE THAT THE IDAHO DEPARTMENT OF AGRICULTURE SHALL HAVE AUTHORITY TO ADMINISTER WATER QUALITY LAWS IN REGARD TO CERTAIN BEEF CATTLE ANIMAL FEEDING OPERATIONS; AND".

SENATE AMENDMENT TO S 1346

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 16, following "generated" insert: "by the beef cattle feeding operation".

CORRECTION TO TITLE

On page 1, delete lines 6 and 7, and insert: "PROVIDE THAT THE NUTRIENT MANAGEMENT PLAN AND CERTAIN INFORMATION GENERATED AS A RESULT OF THE PLAN SHALL BE CONFIDENTIAL."

SENATE AMENDMENT TO H 493

AMENDMENT TO THE BILL

On page 5 of the printed bill, following line 6, insert:

"SECTION 7. This act shall be null, void and of no force and effect on and after July 1, 2016."

CORRECTION TO TITLE

On page 1, in line 14, following ";," delete "AND"; and in line 15, following "RULES", insert: "; AND PROVIDING A SUNSET DATE".

The Committee also has [S 1348](#), [S 1350](#), [S 1389](#), [S 1397](#), and [S 1271](#) under consideration, reports progress, and begs leave to sit again.

STEGNER, Chairman

On motion by Senator Stegner, seconded by Senator Werk, the report was adopted by voice vote.

[S 1344](#), as amended, and [S 1346](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 545](#), as amended in the Senate, and [H 493](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[S 1382](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration.

Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Stennett (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1382](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1383](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Stennett (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1383](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1311](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Corder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Stennett (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1311](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[HJR 4](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator

Stegner arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Stennett (Stennett). Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared [HJR 4](#) adopted, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Kelly, by voice vote the Senate recessed at 12:30 p.m. until the hour of 4 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Coiner, McKenzie, and Pearce, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

[HJR 5](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—McKague. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared [HJR 5](#) adopted, title was approved, and the resolution ordered returned to the House.

[HJR 7](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson,

Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared [HJR 7](#) adopted, title was approved, and the resolution ordered returned to the House.

[S 1404](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Winder. Total - 34.

NAYS—Werk. Total - 1.

Total - 35.

Whereupon the President declared [S 1404](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1405](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [S 1405](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1406](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Smyser, Stegner, Stennett (Stennett), Winder. Total - 32.

NAYS—Kelly, Werk. Total - 2.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared [S 1406](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 471](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 471](#) passed, title was approved, and the bill ordered returned to the House.

[H 449](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 449](#) passed, title was approved, and the bill ordered returned to the House.

[H 469](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 469](#) passed, title was approved, and the bill ordered returned to the House.

[H 444](#), as amended, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 444](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 464](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Smyser arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 464](#) passed, title was approved, and the bill ordered returned to the House.

[H 465](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 465](#) passed, title was approved, and the bill ordered returned to the House.

[H 482](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 482](#) passed, title was approved, and the bill ordered returned to the House.

[H 513](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 513](#) passed, title was approved, and the bill ordered returned to the House.

[H 416](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson,

Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 416](#) passed, title was approved, and the bill ordered returned to the House.

[H 516](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 516](#) passed, title was approved, and the bill ordered returned to the House.

[H 456](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Smyser arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 456](#) passed, title was approved, and the bill ordered returned to the House.

[H 458](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 458](#) passed, title was approved, and the bill ordered returned to the House.

[H 478](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 478](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator LeFavour, granted by unanimous consent, [H 510](#) retained its place on the Third Reading Calendar for one legislative day.

[H 525](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 525](#) passed, title was approved, and the bill ordered returned to the House.

[H 415](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 415](#) passed, title was approved, and the bill ordered returned to the House.

[H 417](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 417](#) passed, title was approved, and the bill ordered returned to the House.

[H 463](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), Lodge, Malepeai, McGee, McKague,

McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—LeFavour. Total - 1.

Total - 35.

Whereupon the President declared [H 463](#) passed, title was approved, and the bill ordered returned to the House.

[H 533](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bilyeu, Bock, Broadsword, Coiner, Corder, Goedde, Heinrich, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKenzie, Schroeder, Smyser, Stegner, Stennett (Stennett), Werk. Total - 21.

NAYS—Bair, Brackett, Cameron, Darrington, Davis, Fulcher, Geddes, Hammond, Hill, McKague, Mortimer, Pearce, Siddoway, Winder. Total - 14.

Total - 35.

Whereupon the President declared [H 533](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 6:02 p.m. until the hour of 10 a.m., Wednesday, March 17, 2010.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary